

Transparent working with industry v2

Purpose of this document: This is a **DRAFT** document outlining the vision for industry collaboration at TU Delft

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* - input was gathered through formal consultations, as well as during informal meetings and discussions.

What?

Transparent working with industry is about ensuring that the principle of “Transparency” as determined in the Netherlands Code of Conduct for Research Integrity¹ is adhered to in collaborations with commercial partners. TU Delft acknowledges that in collaboration with industry confidentiality has existed and will exist, and it is sometimes necessary to undertake research. TU Delft will always aim to maximise transparency and has the preference to make all research results as open as possible, as closed as necessary. Collaboration with industry should start with a discussion on what can be open and what should remain confidential.

What have we done so far?

First, while commercialisation is still the main road to valorisation, the Valorisation Center at TU Delft have been explaining that **it is not the only route for value creation**. They have also developed **guiding principles on IP management** (“*IP Leidraad*”), summarised in TU Delft Guidelines for effective collaboration with industry². These are accompanied by separate **guidelines for working with software**³. Second, every faculty has at least one **contract manager**, who is the first contact point for researchers wishing to initiate collaborations with the industry, and who helps them ensure that transparency principles are taken into account into collaboration agreements. Faculty **data stewards**⁴ are able to provide additional advice on responsible data management and sharing. In addition, some

¹ Netherlands Code of Conduct for Research Integrity:

<https://www.vsnul.nl/files/documents/Netherlands%20Code%20of%20Conduct%20for%20Research%20Integrity%202018.pdf>

² TU Delft Guidelines for effective collaboration with industryL

<https://openworking.wordpress.com/2019/07/26/tu-delft-ip-strategy/>

³ TU Delft guidelines for working with software:

<https://openworking.wordpress.com/2018/10/26/open-source-software-guidelines-for-researchers/>

⁴ Data Stewards at TU Delft:

<https://www.tudelft.nl/en/library/current-topics/research-data-management/research-data-management/data-stewardship/contact/>

faculties have developed **guidance clarifying the rules of engagement for their students** (for example, the Faculty of Industrial Design Engineering⁵). Furthermore, **TU Delft Vision on Integrity 2018-2024** considers transparency about conflicts of interest an important aspect, which is addressed in the Integrity Statement. In addition, the Vision on Integrity suggests the creation of the Advisory IP-committee VC responsible cooperation and the Conflict of Interest Committee and part of TU Delft integrity infrastructure. Finally, the Library has facilitated **discussions with the academic community** at TU Delft about increasing transparency when working with industry, which demonstrated interest in the topic and desire for a continued dialogue.

Plans and ideas for the future

Research integrity principles should be considered from the start of every new industry collaboration initiated at TU Delft, with the aim of making all research results as open as possible, as closed as necessary. TU Delft employees should understand that **protection of intellectual property is not the only path to valorisation** and, where possible and appropriate, explore the avenues of open science and open innovation. To achieve this, close collaboration between multiple stakeholders at TU Delft (Library, Valorisation Center/Legal Services, Strategic Development/Research Integrity, ICT and the faculties) is essential.

Recommendations

- Develop a checklist on IP matters and a step-by-step workflow for new projects with commercial partners:
 - **While understanding that industry's preference is for non-disclosure, open science should be the starting position for TU Delft when it comes to contract negotiations.** Projects should explore more open models for collaboration whenever possible.
 - Every project should ensure that research results, and in particular supporting data and code, are reported **as transparently as possible**. TU Delft research results must be made available for publication (delay possible for the sole purpose of patent protection). As a minimum, **data and code needed to reproduce reported research findings should be accessible**, in accordance with the Netherlands Code of Conduct for Research Integrity.
 - TU Delft will not be restricted in its freedom to pursue research. Projects are initiated when there is a common interest in research with the industrial partner. Scientific conclusions are not open for debate. Any potential **conflicts of interest have to be disclosed**.
 - Individual researchers are not the legal identity, and need to adhere to the advice provided by the **Valorisation Center, Contracts Managers and the Data Stewards** as brokers of collaboration agreements.
 - A clear workflow for addressing potential conflicts of interest or other integrity issues should be developed, in line with the recommendations of the TU Delft Vision on Integrity. In addition, dedicated decision tree for working with

⁵ Faculty of Industrial Design Engineering guidance clarifying rules for collaborations with commercial parties for students:

<https://www.tudelft.nl/en/ide/cooperation/student-projects/bachelor-final-project/>

research data needs to be developed, similar to guidelines for working with software.

- Awareness raising:
 - Initiate discussions with researchers and other key stakeholders involved in industry collaboration.
 - Organise a conference addressing the tensions between open science and industry collaborations
- Information about research integrity in industry collaborations and secure management of confidential information should be incorporated into **training programmes for doctoral candidates**.

Why is this important?

Research integrity principles, and, in particular, the need for transparency when reporting scientific findings, have to be taken into account when working with commercial partners. In order to facilitate the sharing of ideas and knowledge in a way that helps stakeholders solve important challenges and develop improved solutions while reducing the cost of conducting research and development, **value should not be placed solely on intellectual property protection. Innovative, more open, collaborative and inclusive models for industry partnership and commercialisation should be considered.** In addition, implementation of open science principles in industry collaborations and business models can result in lower transaction costs, for example, in contract negotiations, intellectual property management, and increase the simplicity of forming new partnerships and knowledge exchange.

What are the risks if we do nothing?

If TU Delft decided to do nothing to increase the transparency of industrial collaborations, it risks potential accusations of negligence under the Netherlands Code of Conduct for Research Integrity. In addition, without a transparent and coordinated approach to the management of IP, it might be challenging to ensure that TU Delft continues to be perceived as a trustworthy partner. Furthermore, researchers are increasingly asked by funders and journals to make their research results publicly available. Being unable to be transparent about their research results can imperil the success and impact of the university.